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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

c/o Crab Orchard National Wildlife Refuge  
8588 Rt. 148 - Marion, IL 62959

24 SEP 1999

REPLY TO THE ATTENTION OF:

Mr. Mike Light  
Manager, Remedial Projects  
Solutia Inc.  
P.O. Box 66760  
St. Louis, Missouri 63166

Re: U.S. EPA UAO - Docket No. V-W-99-C-554  
Dead Creek Culverts - Sauget Area 1

Dear Mr Light,

The U.S. EPA has reviewed your responses concerning the above referenced Unilateral Administrative Order (UAO) issued on June 21, 1999. Generally, your responses can be divided into two areas. One being responding to and satisfying the UAO, and two the longer term remedial aspects as outlined in your "Cahokia Plan." This letter will only address your response dated July 30, 1999, in which you propose solutions to satisfy the UAO.

In your letter you propose ways to reduce the potential for creek bank overflow and ways to address the contamination sources. Your proposal to reduce a creek bank overflow as detailed below are approved without modification. A work plan for this work is not needed.

- 1.1 Remove above grade vegetation in the creek bed between Route 3 and the Terminal Railway ROW;
- 1.2 Remove and replace the culvert at Cargill Road;
- 1.3 Remove the culvert and open a channel at the Terminal Railroad ROW

It should be noted however, that the intent of the UAO is to reduce creek bank overflow over the entire Dead Creek area. If the above actions do not achieve the desired outcome and the "Cahokia Plan" is stalled in negotiations, the UAO will still be in effect.

In addition, your letter dated July 30, 1999 proposes two ways to address the contamination sources.

- 2.1 Install facilities to pump water from Sector B to the Americans Bottoms Waste Treatment Plant (WTP) during periods of high flow conditions

2.2 Remove contaminated sediments from Sector B and contain in an on-site double-lined containment cell.

The U.S. EPA agrees that pumping water from Sector B is a good idea and is approved conceptually. An approved work plan detailing how this would be installed and what levels would be expected to be pumped to the treatment plant will be required before work may begin.

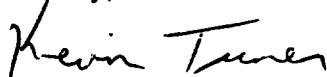
Utilizing the emergency removal authority of U.S. EPA to complete the removal and onsite disposal of contaminated sediments from Sector B is intriguing. As you know, conducting work under the removal program does not relieve Solutia from the substantive requirements of any law. The U.S. EPA believes that section 2.2 mentioned above is outside the scope of this UAO. Some sort of enforcement document will need to be drafted by the Agency before work may begin concerning section 2.2.

Due to the nature and levels of contamination in Sector B, Toxic Substances Control Act (TSCA) rules and regulations would be enforced. U.S. EPA agrees conceptually that section 2.2 is possible, however, more information is needed. In particular, what part of the TSCA rules would Solutia be operating under? Does Solutia want to use this landfill for more than the sediments from Sector B? How many cubic yards of material are estimated? What is your cost estimate? Would Solutia supply design documents to support the proposal? These are just some examples (not inclusive) of questions which need to be answered before the U.S. EPA can consider the likelihood of this proposal coming to fruition. Please review the TSCA rules to see where this proposal would fit and to see if certain criteria are met in advance to our considerations.

In addition, the U.S. EPA believes there are other means of disposal for the contamination found in Sector B. It is our opinion these other disposal options need to be considered before the TSCA route is followed. As part of a future submittal, please include discussions about other disposal options and Solutia's position on them.

With regards to proposals 1.1, 1.2, and 1.3 above, please provide me with a two-week advance notice before work is to begin. Section 2.1 above needs an approved work plan prior to work beginning. Please submit a work plan to me by the end of October. If you have any questions, call me at (618) 997-0115.

Sincerely,



Kevin Turner  
On-Scene Coordinator

cc: Tom Martin - ORC  
Mike McAteer - RPM  
Candy Morin - IEPA